STATE OF ILLINOIS – DEPARTMENT OF LABOR 160 N. LASALLE ST., STE. C-1300 CHICAGO, ILLINOIS 60601

IN THE MATTER OF:)
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601 and JARRETT CLEM, as member of INTERNATIONA BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601,)) (L))
PETITIONER(S),) STATE FILE NO. 2019-H-PK09-2267
v.	DATE OF NOTICE: September 28, 2018
JOSEPH BEYER, DIRECTOR OF THE) CERT. MAIL/RETURN RECEIPT:
ILLINOIS DEPARTMENT OF LABOR, and THE ILLINOIS DEPARTMENT OF LABOR,	7017 2620 0001 0467 5839
RESPONDENTS.)

NOTICE OF HEARING

PLEASE TAKE NOTICE that Joseph Beyer, Director of the Illinois Department of Labor, and the Illinois Department of Labor [hereinafter, "Respondents"] have received from International Brotherhood of Electrical Workers Local 601 and Jarrett Clem as member of International Brotherhood of Electrical Workers, Local 601, [hereinafter, "Petitioner(s)"] written objections to the prevailing wage determinations posted by the Department on its website on August 15, 2018, and a request for hearing on those objections pursuant to Section 9 of the Prevailing Wage Act [hereinafter, "IPWA" or "Act"], 820 ILCS 130/0.01 et seq.

Pursuant to the PWA, Article 10 of the Illinois Administrative Procedure Act, 5 ILCS 100/10-5 et seq., and 56 Ill. Admin. Code 120.100 et seq., Respondents will convene a hearing on:

DATE:

OCTOBER 9, 2018

TIME:

1:00 P.M.

PLACE:

ILLINOIS DEPARTMENT OF LABOR

160 NORTH LASALLE STREET, SUITE C-1300

CHICAGO, ILLINOIS 60601

ADMINISTRATIVE LAW JUDGE:

CLAUDIA MANLEY
CHIEF ADMINISTRATIVE LAW JUDGE
ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

The hearing involves the written objections and hearing request filed by Petitioner(s), attached hereto and made a part hereof (Exhibit A).

The parties and their respective representatives must be prepared to proceed at the hearing. The parties must present all information, documents, records or witnesses necessary to substantiate their position(s) at the hearing.

Pursuant to 56 Illinois Administrative Code 120.640, the administrative law judge shall issue a Decision and Order. In the event no timely or proper exceptions are filed, the findings, conclusions, recommendations and order of the administrative law judge shall automatically become the decision and order of the Director of Labor.

The proceedings are subject to judicial review in accordance with the provisions of the Administrative Review Law, 735 ILCS 5/3-101 et seq. The Director of Labor's determination on the objections is final and binding unless a party to this proceeding applies for and obtains judicial review of the final administrative decision in accordance with the provisions of the Administrative Review Law.

Joseph Beyer Director of Labor

STATE OF ILLINOIS – DEPARTMENT OF LABOR CONCILIATION/MEDIATION DIVISION 160 N. LASALLE ST. STE. C-1300 CHICAGO, IL 60601

IN THE MATTER OF:)
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601 and JARRETT CLEM as member of INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601,)) STATE FILE NO.:))
Petitioners,	3 2019-H-PK09-2267
JOE BEYER, DIRECTOR OF THE ILLINOIS DEPARTMENT OF LABOR AND THE ILLINOIS DEPARTMENT OF LABOR))))
Respondents.	,)

OBJECTION AND REQUEST FOR SECTION 9 HEARING

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601 and JARRETT CLEM as member of INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601 ("Petitioners"), by and through their attorneys, Cavanagh & O'Hara LLP, seek to formally object to the prevailing wage determination published by the Illinois Department of Labor ("IDOL") on August 15, 2018, and request a hearing on these objections pursuant to Section 9 of the Illinois Prevailing Wage Act (820 ILCS 130/9)("IPWA"), and in support thereof states as follows:

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL
 is a labor organization which represents employees who work on public works projects in

various counties throughout Illinois. JARRETT CLEM is a member of INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601.

- 2. Section 9 of the IPWA states: "The Department of Labor shall... investigate and ascertain the prevailing rate of wages for each county in the State." 820 ILCS 130/9.
- 3. The Petitioners submitted prevailing wage survey information to the IDOL in June 2018. The material submitted to the IDOL included wage rates and fringe benefits paid to the classifications of Electrician and Electronic System Tech.
- 4. The regulations to the IPWA define the "prevailing hourly rate of wages" as "the hourly cash wages plus fringe benefits ... most frequently (numerically occurring), in the county in which the public works is performed, to employees engaged in public works." 56 Ill. Adm. Code 100.22.
- 5. Petitioners represent workers in Illinois and have negotiated collective bargaining agreements ("CBA's") with various employers and/or employer organizations. The wages and fringe benefits rates in the Petitioners' CBA's are the most frequently numerically occurring wages and fringe benefit amounts paid to employees engaged in public works in the geographic counties covered by Petitioners. Accordingly, the Petitioners' CBA's have historically been considered by the IDOL during its investigation of the prevailing wage rates for the classifications of Electrician and Electronic System Tech on public projects.
- 6. On August 15, 2018, the IDOL published prevailing wage schedules on its website. The prevailing wage schedules contain numerous errors and omissions due to (i) errors in data/information submitted during the survey process, (ii) errors in IDOL's investigation and review of the survey submissions and determination of the "prevailing" wage rate (that resulted in erroneously inflated and decreased wage and fringe rates), and (iii) errors related to minimizing

or, in many instances, wholly disregarding the Petitioners' submissions concerning the "prevailing" wage in the applicable geographic areas and the applicable classifications.

- 7. The errors related to the IDOL's minimization or disregard of the Petitioners' "prevailing" wage survey submissions stem from the systematically flawed methodology used by the IDOL. The IDOL's methodology is flawed because it did not result in the IDOL basing the posted prevailing wage rates on the most frequently numerically occurring wages and fringe benefits in each county or, if applicable, the geographic area of each county. Significantly, the end result is that many of the IDOL's posted "prevailing" wage rates are based on a *de minimis* or *insignificant* amount of reported hours rather than the most frequently occurring wages and fringe benefits paid to employees engaged in public works.
- 8. Petitioners have assembled a spreadsheet that identifies the known errors and omissions in the prevailing wage rates published by the IDOL on August 15, 2018. The spreadsheet is attached hereto and incorporated herein as Exhibit A.
- 9. Petitioners represent numerous individuals who perform work on public projects under the classifications defined by the IPWA and are paid at the posted prevailing wage. Therefore, the Petitioners' members are financially affected by the prevailing wage rates.
- 10. Therefore, Petitioners request an investigatory hearing to establish the correct prevailing wage rates for the classifications, counties, regions and types of work identified in **Exhibit A** (including but not limited to, correcting the prevailing wage rates that were published by the IDOL on August 15, 2018).

WHEREFORE, for the reasons set forth above, the Petitioners object to the prevailing wage determinations posted on the IDOL's official website on August 15, 2018, and respectfully request a hearing on these objections pursuant to 820 ILCS 130/9.

Dated: September 11, 2018

Respectfully submitted,

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601 and JARRETT CLAM as member of INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 601.

By: J V V

Cavanagh & O'Hara LL®

John T. Long

2319 West Jefferson St.

Springfield, Illinois 62702

(217)544-1771 – Telephone

(217)544-9894 - Facsimile

johnlong@cavanagh-ohara.com

and

Additional Counsel

Cavanagh & O'Hara LLP
Jacob Blickhan
2319 West Jefferson St.
Springfield, Illinois 62702
(217)544-1771 – Telephone
(217)544-9894 – Facsimile
jacobblickhan@cavanagh-ohara.com

CERTIFICATE OF SERVICE

The undersigned certifies that he caused copies of the foregoing Objection and Request for Section 9 Hearing to be served on the following persons, via UPS Next Day (a private delivery service), on this 11th day of September, 2018.

Joe Beyer Director of the Illinois Department of Labor 160 N. LaSalle Street, Suite C-1300 Chicago, IL 60601

Illinois Department of Labor c/o Joe Beyer, Director 160 N. LaSalle Street, Suite C-1300 Chicago, IL 60601

Respectfully submitted,

By: // Cavanagh & O'Hara LLP

John T. Long

2319 West Jefferson St.

Springfield, Illinois 62702 (217)544-1771 – Telephone

(217)544-9894 - Facsimile

johnlong@cavanagh-ohara.com

EXHIBIT A

					*THIS CLASSIFICATION WAS DIRECTED FROM FUSICO RAIL										THIS CLASSIFICATION WAS CIMITTED PROMPERSTED HATE			THIS CLASSITICATION WAS DARFFED FROM FUSTED BATE			-			"REGION SHOULD RE "LAS!" ROT ALL		TREGION SHOUGH BE "EAST", NOT ALL	"REGION SHUILLI PE "CAST", KOT ALL			FREGROAD SHOULD BE "ME" MOT ALS		PREGROMSHOULD BE "RE" ALC! ALE	PHIS CLASSIFICATION WAS CHAITED TROST FOST LO RATE			*REGIONSHOULD BE 'NE' NO! ALE	
GREEN PATORETA SAFTEN DOS															Section of the second			Transfer of the	GCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC				0				0						1000	28 V.S. 183			CANAL MANAGEMENT
570%			_		-									-	the State of the State of		-	1 8 CASS 1	76 SANSKU				10,10	_		-	46-23				4 1250 6521						Na Constanting Constanting
TRACTOR SHOWS	WICERD ME	a.c	1-0			0.4		0.0	0.4		C.b	0.4		O.f.	0.4		9.0	0.4	SAN SERVICES	0.6	0.4		0.6	0.4		O.6	0.4		0.6	0.4		9.0	0.4		0.5	0.4	72666 11667 1210159
Transmit T	SMOWS 22	9.0	0.4		2970	9.0		0.6	1.0	MARKET PAR	5.6	0.4		0.0	and sections		970	1,000	影響	77.	0.4			0.4	8	No. 16			9,6	5.4		14.2	100		9.0	0.4	WARRANT CONTRACTOR
YACATETH TI	Mercant on	O	o		0			0	0	CENTER SO	10 C 10 C 10 C	0		- 4	. 0		a	0		0	c c	STATE OF THE PARTY	0.00	a		9	9		0		はおおどの	2000 O 100			0	0	S. S
WACATION Y	SACTAS NA	٥	5		0	1.31		0	1117	100 mm	19.40	0	W. 200 S.	0	100,000		D	6400 AND	100 CAN 200 AND	0	c	8	*	g		Ď	÷43		c	1.4.4	ACCOUNTS 7.00	*	100		0	0	WHITE STATES AND STATES
N KODALIA	14000000	9.43	1,24	(A.S.S.)(2.3)	400 27 G	12.6		9.48	7.24	13.00 mg (15.00 mg)	10. 37.43 A.S.	9.24		8,4,8	9.24		- 57°C	9.24	S. (1977) S. (1978) S. (19	- 9.43 -	9.24	\$3.00 may 10.00 mg	. 1.43 C	9.24		9.48	0.24		9.48	124	53 (C.SSSS-3 E.	5.43	9.24	3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	2.68	- 1.74 ·	CONTRACTOR CONTRACTOR
PERSON	SHOW	н	3.44		44.01	9000		87'6	3.46	30	90%		× 55 × 52	976	901000		25.8	E 100 No.		-	9.24	8		3	834	46.24			9.48	ţ	33	20.87	25,000,000			1	SEASON WAS AND A STATE OF
**	MONOR	7,05	7.05		907	901		50'7	50 L		7.05	50'Z		50%	50'2		7.05	107	KANNAKAN.	7.65	7.05	**************************************	7.05	501		7.05	7.05		507	7.05	CONTRACTOR OF THE PERSON OF TH	18	57		7.05	7,03	01/05/2010/05/2010
K/M	SHOWS	7.05	*8*		3.4	\$319		7.05	***	2012 N. 12	76'5	%U%		7.05	1,000,000,000		7.05	and discount of		5.25	7.05	SECTION SECTION	4,44	447	SS 85 85 85 85 85 85 85 85 85 85 85 85 85	7.75	0.43	WHEN STATES	7.05	4-63	3.88在3.88局	24.45		のなるのでは	7.05	ř	Secretary of the last
ES foulder	201234 P R6		7							阿拉尔斯斯								. 2											,				2				SALVE CONTRACTOR OF THE PERSON NAMED IN COLUMN
5	HOXDAT	1	51		1	1		7	1	STATE OF THE PARTY	٧	2		2			2				2	100 May 200 May	7	2		,	7	W. C. N. S. S.	1	7		*	San San San San San		7	2	SOME BUSINESS OF STREET, SANS
SET SUPE	мамочь		7							NEW KEN					~		L	~	**************************************												* CONTRACTOR						MORNING WINDOWS
5	NW NW	2	2.5		2	~		2	~	108 0106	2	7		~			2				2		7	2		7	~		2	~		~	200		2	7	STATE OF THE PARTY
8	EAT ENGTHR M									MAKEN MINISTRA					T			1.5				TRESTRIBER						W. W. C.			Mary Name		1.5				STATE SALES AND ADDRESS OF THE PARTY OF THE
10	SAT BROWS	1.5	1.5		57	1.5		5.3	53	\$ 1306X153000	5.3	1.5		5.3			1.5		SALES HAVE SE	1.5	1.5	SAME SAME	1.5.1	1.5		57	1.5		1.5	53		1.5	2000		.;	51	Company of the last
CARA	Section and				r					KENDALINE					1.5			1.5	133000000			TO STATE OF				_						_	3.5		l	-	COLOR OF STREET
ъ	M. FSHOWS S	1.5	1.5		1.5	2.5		1.5	1.5		51	57		1.5	200000		51	100000		1.5	57	10 m	1.5	12		5.1	1.5		1.5	1.5		1.5	1000000		- 51	(57	A PAGENTAL STATES
			7		15	L		ŀ	L	2001年第1988		L	STATE SECOND	_	-	W. 1888	J		W 1888 (1885)			(20) [1] [1] [2] [2] [2] [2] [2] [2] [2] [2] [2] [2	1		250 250 25	1000			1	L	SXX MZ		100		L		-
I IDEEMAN WARE	MATCHER	42.57	13.31		42,57	11.31		42.57	33.31	CHANGE WE		Ē	W PASSON AND	50	31.31	Service Services	42.53	13,11	多数数数数据	14.13	33.31	SF BR SS PAR	42.57	33.31			38.86	S (300 S)	25'24	13.31	S41322(0)	Sec. 42.52	33.31		42.57	33.31	Sterring water of the same
POREMANI WALL	\$MONES.	42.57	÷2/7÷		463-3	FERNIE		42.57	404	A 100 CONTRACTOR OF THE PERSON	****	33.31	100 STATE OF THE PARTY OF THE P	42.57	100000000000000000000000000000000000000		21.43		WANDS MISTOR	NGWS+	33.11	S. A. S.	4114	1000		40.33	NONE	N. S.	15.54	2000		27-52	4 40 7 7 7 7 1		4444	\$2-00	Contract of the last
H ISTAINS	The extractors	46.35	31 31	2000000	-40 1E	- IE'E'-		40.15	31.52		~ 40,15 ~	31.32	Service Services	40.15	31.31		40.16	31.33	THE SERVICE	AQ.16	31.31	28 pressore 28	40.36	31.31		0.40.15 co	31.31		40.35	35 35	100 NO 100 N	40.16	31.31	28 X S S S S S S S S S S S S S S S S S S	35.05	31.31	THE REAL PROPERTY.
BARWAGE BA		40.15	74-0		77	200		40,16	14404		O OFFICE	31.31	Wiese See	40,15			40.16	(A) (A) (A) (A)	TO SERVICE STATE		31.33	WEEKS (4) (4) (5) (4)	est ex			· 24448	ctyclic		H	1277		1/2 6/2	STATE OF STATE OF	W. 1887. 1888	40.35	See.	ı
PPG MCM BA	* Henrick		Ĺ		ON MELSON	Ļ.	10000000000000000000000000000000000000	Ė	Ľ	STATE STATE OF	Ľ	<u> </u>	Market State		W		Ĺ	500 Per 1	No. of Section 1989			Section Section	Ľ	a	Š	100 F 100 F	1000 31000	SAME SECTION	ŀ	74		- 186		Section 1		7,4	Į
KI KOW	SHOWS SHOW	7	I	September 1	- W	Г		×	×		5	,	200 Sept 200	à			,	18 3 may 2 m	SIN SERVICE	٦	717	15 A 18 S 18 S 18 S	3	**	34 SE 182	Г	¥	S 25 10 10 10 10 10 10 10 10 10 10 10 10 10	32	ž	ENG SPECIES	2	120 V 250 V 250 V	25 Sept. 1883 Sept. 1883	HE.	ŧ	1
141	2	L	RID	N. 100 P.	aie	910		B1D :	918		810 8	910	STATE STATE OF	8(0.)	O.B	NOTE SERVICE	8 (1)	ि		RID	BID	1023014911	1 019	610		RID :	018		61.0	910	SOLD NEWS	เกล	2	SAME NAME OF	010	1019	
MARK		₽	ELECTRONICSYS TECH	MANUAL PROPERTY OF THE PARTY OF	ELECTRICIAN.	ELECTRONICSYS TECH	STATE OF THE PARTY	FEFFRIDAN	ELECTRONIC STS TECH	2	FLECTRICAM	FLECTROMIC SYS TECH	122	ELECTRICARI	GIR HOST STEENWELD IN I SHOOM!		LECTRICIAN	CASALLE ELECTRUPHIC SYSTED! BLD		LLECTRICIAN	UVINGSTON ELECTRONICSYS TEGI		LIECTRICIAN	ELECTRONICS SYS LECH		LLECTROIAM	ELECTRONIC SYSTEM		TECTROAN	ELECTRONICSTS 1 (C)	AND REPORT OF THE PARTY OF THE	LLECTRICALI	FUHAM ELECTIONICSYSTEM	の主義などの対象を対象を対象は	(LECTRICIAN	ELECTRONICSYS TEOL	
CERTITY		DIAMPAIGN		54 54 S. S. S. S. S. S.	DEMIL	UEWEL	Section 1	DOUGLAS	ł	ю	CORD	CNO	0.00	ROOFICIE	SICOOL	20000000	31757	31185	THE REAL PROPERTY.	LIVINGSTON	MGSTON E	WINESES 1918	MARSHALL	-	NAME OF THE PERSONS ASSESSED.	MCEEN	METAN		HAFT	HAIT		PUTRAZZ	THANK	SATISFIE STATE	WOOD! URD	WOODLORD E	

Hent Stefan bloogs - Toy signibus erises ... Dreem Taxt box signifies cotract rates.



September 11, 2018

Sent Via UPS Next Day

Joe Beyer Director of the Illinois Department of Labor 160 N. LaSalle Street, Suite C-1300 Chicago, IL 60601

Illinois Department of Labor c/o Joe Beyer, Director 160 N. LaSalle Street, Suite C-1300 Chicago, IL 60601

Re: Objections and Request for Section 9 Hearing

Dear Mr. Beyer,

This office represents International Brotherhood of Electrical Workers Local 601 and Jarrett Clem. Please find enclosed with this correspondence a Petition of Objections and Request for Section 9 Hearing pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/9). As such, please consider the Petition enclosed hereto a written notice of objection (pursuant 820 ILCS 130/9) concerning the Illinois Department of Labor's determination of the 2018 Prevailing Wage Rates, posted August 15, 2018.

An additional copy of the Petition is also enclosed. Please returned a file-stamped or received-stamped copy to the undersigned in the self-addressed stamped envelope.

Should you have any questions, please do not hesitate to contact the undersigned.

/ery_truly_yours

John T. Lợn

cc: IBEW Local 601

HARVEY & STUCKEL
ATTORNEYS AT LAW
CHARTERED
101 S.W. ADAMS STREET
SUITE 600
PEORIA, ILLINOIS 61602

DAVID W. STUCKEL J. KEVIN WOLFE

R. WAYNE HARVEY

TELEPHONE (309) 671-4900 TELEFAX (309) 671-5473 www.hslaw.us



September 11, 2018

OF COUNSEL

ALAN A. PRETNAR

Mr. Joseph Beyer Director, Illinois Dept. of Labor 160 N. LaSalle St., Suite C1300 Chicago, IL 60601

RE: Sheet Metal Workers Local Union No. 1 and Sheet Metal Workers

Local Union No. 91 Our File No. 5457L

Dear Mr. Beyer:

Enclosed please find Objections and Requests for Section 9 Hearing on behalf of Sheet Metal Workers Local Union No. 1 and Sheet Metal Workers Local Union No. 91 regarding the August 15, 2018, prevailing wage determination published by the Department of Labor.

We request that a copy of the filing be returned to us with the assigned file number.

Thank you very much for your cooperation in this matter.

Very truly yours,

David W. Stuckel

DWS/hls

Enclosures

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I O. V. Jackson a non-attorney, affirm, certify or on oath state, that I served notice of the attached Notice of Hearing upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Notice of Hearing in Case No. 2019-H-PK09-2267 and a copy of the Certificate of Service in an envelope addressed to each party or party's agent at the respective address shown on the Certificate of Service, having caused each envelope to be served by U.S. mail certified mail return receipt requested and at 100 W. Randolph Street, Chicago, Illinois on the Aday of Company 2018 prior to 4:30 p.m. and placed on the Illinois Department of Labor's official website at and placed on the Illinois Department of Labor's official website at www.state.il.us/agency/idol/

IBEW, LOCAL 601 c/o John T. Long, Esq. Cavanagh & O'Hara LLP 2319 W. Jefferson St. Springfield, IL 62702 johnlong@cavanagh-ohara.com

Via messenger:

Joseph Beyer Director of Labor Illinois Department of Labor 160 N. LaSalle St., Ste. C-1300 Chicago, IL 60601

Illinois Department of Labor c/o Benno Weisberg General Counsel Illinois Department of Labor 160 N. LaSalle St., Ste. C-1300 Chicago, IL 60601

Subscribed and Sworn to this 20° day of 50° , 2018

Votary Public

Official Seal
Laura Mary Kotelman
Notary Public State of Illinois
My Commission Expires 12/03/2019